

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

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ZIMMER BIOMET HOLDINGS, INC.,

Plaintiff,

Case No. 1:22CV2575

-against-

(Valderrama, F.)

MARY N. INSALL, as Executrix of the
Estate of JOHN N. INSALL,

Defendant.

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**MOTION BY DEFENDANT TO CONFIRM THE
UNANIMOUS FINAL AWARD OF THE ARBITRATORS**

Defendant Mary N. Insall, as Executrix of the Estate of John N. Insall moves this
Court:

1. Pursuant to 9 U.S.C. Section 9, to confirm in its entirety the unanimous
Final Award dated March 8, 2022 of the arbitrators issued in Case No. 02-12-0001-4010 before
the American Arbitration Association's Commercial Arbitration Tribunal;

2 Pursuant to F.R.C.P. §12(b)(6) to dismiss the Complaint on the ground that
the Complaint fails to state a claim upon which relief can be grounded; and

3. In the alternative, to remand for consideration by the arbitrators issues which the arbitrators found to be moot in light of their Award.

Dated: September 15, 2022

Respectfully submitted,

Litman, Asche & Gioiella, LLP

By: /s/ Richard M. Asche
Richard M. Asche
Russell M. Gioiella

(both attorneys admitted pro hac vice)

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For the Estate of John N. Insall